Elizabeth Rojas 15060 Ventura Blvd. Suite 240

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UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - SAN FERNANDO VALLEY DIVISION		
IN RE	CHAPTER 13	
	CASE NO. SV12-18279-MT	
Nelson Anderson		
	TRUSTEE'S OBJECTION TO CONFIRMATION	
	OF PLAN; DECLARATION; NOTICE OF	
	POSSIBLE DISMISSAL OR CONVERSION	
DEBTOR	DATE/TIME: February 26, 2013 9:30 am 21041 Burbank Blvd. Courtroom 302 Woodland Hills, CA 91367-1367	

The Trustee objects to confirmation of the plan because all requirements for confirmation as set forth in Title 11 of the United States Code and the Rules have not been met.

The Trustee requests, should all requirements not be met, that confirmation of the plan be denied, the case be dismissed or converted to Chapter 7 and for such other relief as the Court may deem appropriate.

THE FAILURE OF THE DEBTOR (OR THE ATTORNEY FOR THE DEBTOR) TO APPEAR AT THE CONFIRMATION HEARING, OR TO FULLY COMPLY WITH ALL REQUIREMENTS FOR PLAN CONFIRMATION, MAY RESULT IN DISMISSAL OR CONVERSION OF THE CASE.

DATED: February 01, 2013 /s/ Elizabeth Rojas

## I, Elizabeth Rojas, declare as follows:

- 1. I am the Trustee in this matter, Nelson Anderson, SV12-18279-MT, and I have personal knowledge of files and records kept by my office in the regular course of business. I have personally reviewed the files and records kept by my office in the within case. The following facts are true and correct and within my own personal knowledge and I could and would testify competently thereto if called upon to do so.
- I object to confirmation of the proposed plan because of the deficiencies set forth in the attached which is incorporated herein by reference. These deficiencies existed prior to or at the time of the 11 USC §341(a) meeting in this matter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sherman Oaks, California on January 29, 2013.

/s/ Elizabeth Rojas

SV12-18279-MT

Nelson Anderson

I oppose	plan confirmation because the <b>Debtor has failed to</b> :
	schedule debts within the limits of 11 USC §109(e); and therefore <b>ineligible</b> ; and/or Debtor is not eligible to be a Chapter 13 Debtor as follows:
x	disclose [11 USC §521, LBR 1017-1(b)]  x assets creditors income prior case  - all assets not scheduled  - No household goods/clothing disclosed ///// - need fmv of business  - File declaration w/ court explaining how design business is valued w/ evid. & disclose on Sch.B
	<b>serve all</b> creditors with notice and the Plan at least 28 days before the 11 USC §341(a) Meeting of Creditors, FRBPs 2002(b), 7004 and LBR 3015-1(b)(3);
x	provide the Trustee documentation of all income (as well as any contributor's income) seven days before the §341(a) Meeting of Creditors. LBR 3015-1(c)(3), 11 USC § 521; - 2011 tax return - 2012 taxes - short form business report - need all proof of business income for both debtors - 2012 year-to-date income/expense - 2011 year-to-date income/expense - 6 months bank statements
x	meet the <b>business reporting requirements</b> regarding Debtor's business or self-employment, LBR 3015-1(c)(4); - short form business report - need all proof of business income for both debtors - 2012 year-to-date income/expense - 2011 year-to-date income/expense - 6 months bank statements
x	provide to the Trustee completed copies of the Federal and State <b>income tax returns</b> , 11 USC § § 1308 and 521, LBR 3015-1(c)(3).  - 2011 tax return  - 2012 taxes
x	propose a plan that is feasible 11 USC § 1325(a)(6); the plan is <b>infeasible</b> because certain claims are not included and/or the amount provided is insufficient
	income is not sufficient enough to fund it
	plan payment will not retire debt within term
	<ul> <li>x the plan does not propose treatment and/or properly treat all scheduled, priority and/or secured creditors; and/or plan deficiencies as follows:</li> <li>- no admin %</li> </ul>
х	propose a plan that represents the Debtor's <b>best effort</b> 11 USC §1322; 11 USC §1325

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unreasonable and/or unnecessary expenses are scheduled		
- Expenses high		
- \$280 home maintenance, Emma's School \$100, Tessa's School \$100,	\$200	
personal expenses		
the budget surplus exceeds the monthly plan payment		
comply with the Means Test as required by the Code, In re Kagenveama, 868, and/or In re Lanning, 1330 S.Ct.2464	, 541 F3d	
propose a plan that provides creditors as much as would be received under <b>Chapter 7</b> 11 USC §1325(a)(4).		
other issues as stated below:  - Trustee to request interlineations that all tax returns be submitted to the Trustee; refunds to be submitted into the plan and the Debtor will not incur debt greater that without Court permission.		

- Amend SFA # 18 for business info
- for both debtor & spouse
- Amend Schedule B for all assets

## **PROOF OF SERVICE**

In Re: Nelson Anderson

Case No. SV12-18279-MT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

Elizabeth Rojas 15060 Ventura Blvd.

Suite 240

Sherman Oaks, CA 91403

The foregoing document described as **TRUSTEE'S OBJECTION TO CONFIRMATION**; **NOTICE OF POSSIBLE DISMISSAL OR CONVERSION** will be served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner indicated below:

On February 01, 2013, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, addressed as follows. Listing the judge here constitues a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Nelson Anderson 5395 Churchwood Drive Oak Park, CA 91377 Yelena Gurevich Consumer Action Law Group PC 450 N Brand Blvd Ste 600 Glendale, CA 91203

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: February 01, 2013 /s/ Patricia Trujillo